

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

(Includes Reference to PCT International Applications)

ATTORNEY DOCKET NUMBER
USGI-005-2A

As a below named inventor, I (we) hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

APPARATUS AND METHODS FOR FORMING AND SECURING GASTROINTESTINAL TISSUE FOLDS

the specification of which (check only one item below):

☐ is attached hereto.

☒ was filed as United States application

Serial No. 10/735,030

on December 12, 2003

and was amended

on _____ (if applicable)

☐ was filed as PCT international application

Number _____

on _____

and was amended under PCT Article 19

on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 or §356 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY (if PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

Combined Declaration For Patent Application and Power of Attorney (Continued)

(Includes Reference to PCT International Applications)

USGI-005-2A

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED

10/672,375	September 25, 2003		✓	
60/500,627	September 5, 2003		✓	
10/612,170	July 1, 2003		✓	
10/639,162	August 11, 2003		✓	
60/433,065	December 11, 2002		✓	
10/173,203	June 13, 2002		✓	
10/458,060	June 9, 2003		✓	
10/346,709	January 15, 2003		✓	
60/471,893	May 19, 2003		✓	
10/288,619	November 4, 2002		✓	
09/746,579	December 20, 2000		✓	
10/188,509	July 3, 2002		✓	
09/898,726	July 3, 2001		✓	
09/602,436	June 23, 2000		✓	
60/141,077	June 25, 1999		✓	

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: NICOLA A. PISANO, Reg. No. 34,408, MITCHELL P. BROOK, Reg. No. 32,967, PETER K. HAHN, Reg. No. 34,833; DAVID E. HEISEY, Reg. No. 42,651 and PETER R. MARTINEZ, Reg. No. 42,845, all attorneys with the firm of LUCE, FORWARD, HAMILTON & SCRIPPS, which has an office address at 11988 El Camino Real, Suite 200, San Diego, CA 92130.

Send Correspondence to:

Nicola A. Pisano, Esq.
LUCE, FORWARD, HAMILTON & SCRIPPS
 11988 El Camino Real, Suite 200
 San Diego, California 92130

Direct Telephone Calls to:
 (name and telephone number)

Nicola A. Pisano
 (858) 720-6300

201	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		Saadat	Vahid	C.
		Saratoga	California	US
		12679 Kane Drive	Saratoga	California 95070/US
202	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		Michlitsch	Kenneth	Jerome
		Livermore	California	US
		822 South M St. 4619 Pamela-Gemmons KSM 3/30/04	Livermore	California 94550/US

☒ Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheets(s) attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201

Vahid Saadat

SIGNATURE OF INVENTOR 202

Jerome

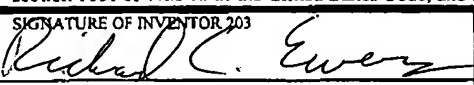

DATE

3-30-04


DATE

3/30/04

Additional Inventors (1/2)

203	FULL NAME OF INVENTOR	FAMILY NAME Ewers	FIRST GIVEN NAME Rich	SECOND GIVEN NAME C.
	RESIDENCE & CITIZENSHIP	CITY Fullerton	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 1437 West Malvern Avenue	CITY Fullerton	STATE & ZIP CODE/COUNTRY California 92833/US
204	FULL NAME OF INVENTOR	FAMILY NAME Rothe	FIRST GIVEN NAME Chris	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY San Jose	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 1593 Sabina Way	CITY San Jose	STATE & ZIP CODE/COUNTRY California 95118/US
205	FULL NAME OF INVENTOR	FAMILY NAME Brenneman	FIRST GIVEN NAME Rodney	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY San Juan Capistrano	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 34002 Las Palmas Del Mar	CITY San Juan Capistrano	STATE & ZIP CODE/COUNTRY California 92675/US
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p>				
SIGNATURE OF INVENTOR 203 		SIGNATURE OF INVENTOR 204		SIGNATURE OF INVENTOR 205 
DATE 4-2-04		DATE		DATE 3-30-04

Additional Inventors (1/2)

2 0 3	FULL NAME OF INVENTOR	FAMILY NAME Ewers	FIRST GIVEN NAME Rich	SECOND GIVEN NAME C.
	RESIDENCE & CITIZENSHIP	CITY Fullerton	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 1437 West Malvern Avenue	CITY Fullerton	STATE & ZIP CODE/COUNTRY California 92833/US
2 0 4	FULL NAME OF INVENTOR	FAMILY NAME Rothe	FIRST GIVEN NAME Chris	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY San Jose	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 1593 Sabina Way	CITY San Jose	STATE & ZIP CODE/COUNTRY California 95118/US
2 0 5	FULL NAME OF INVENTOR	FAMILY NAME Brenneman	FIRST GIVEN NAME Rodney	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY San Juan Capistrano	STATE OR FOREIGN COUNTRY California	COUNTRY OF CITIZENSHIP US
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 34002 Las Palmas Del Mar	CITY San Juan Capistrano	STATE & ZIP CODE/COUNTRY California 92675/US
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SIGNATURE OF INVENTOR 203		SIGNATURE OF INVENTOR 204 		SIGNATURE OF INVENTOR 205
DATE		DATE 3-30-04		DATE

Additional Inventors (2/2)

2 0 6	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		Lam	Cang	
		Irvine	California	US
		Stanford (CL) 74 Standford Ct.	Irvine	92612 (CL) California 92511/US
2 0 7	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
		Chen	Eugene	
		Carlsbad	California	US
		3600 Corte Castillo	Carlsbad	California 92009/US
2 0 8	FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.</p>				
SIGNATURE OF INVENTOR 205 206 CL		SIGNATURE OF INVENTOR 207 208 CL		SIGNATURE OF INVENTOR 205
DATE 4/2/04		DATE 4/05/04		DATE

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